

OK TO ENTER: /E.G./ 02/03/2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ammann et al.

Confirmation No.: 8957

Application No.: 10/564,452

Group Art Unit: 1794

Filing Date: January 12, 2006

Examiner: E. Gwartney

For: HIGH FIBRE HIGH CALORIE  
LIQUID OR POWDERED NUTRITIONAL  
COMPOSITION

Attorney Docket No.: 7444/US/PCT

DECLARATION UNDER 37 C.F.R. § 1.132

Sir:

I hereby state as follows:

1. My experience and qualifications are as follows:

Ph.D. in Human Nutrition & Biochemistry  
25 years of research experience  
in Nutritional Nutrition (University and  
Industry)

2. I am one of the named inventors of the above-identified patent application and am therefore familiar with the inventions disclosed therein. I am also familiar with the study discussed below at Exhibit B that tested the tolerance of a composition having an increased amount of fiber similar to the presently claimed composition compared to a similar, non-fiber composition, which was known to be well tolerated. Further, I am familiar with the study discussed below at Exhibit E and related to the synergistic effect observed between fructooligosaccharides and acacia gum on the bifidogenic effect.